Scott. IL-27—45,000—9-1

Law (Annual) (1935) Department

Mis SERIES.

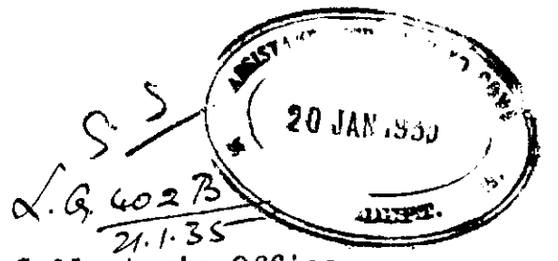
G.O. No. 455

DATED 7-2-1935

[Despatch Abstract.]

Kazi - Coondapur taluk - South Kanara
Abdul Khadr Saheb - withdrawal o
powers - Syed Muhammad Kasim Mu
Koya appointed for the villages of
Coondapur Koteshwar, Vederhobli a
Hangluv.

R.C.C.4442-34-B--1.



S. S
L.G. 402 B
21.1.35

South Kanara Collector's Office,

Mangalore, dated 17th January 1935.

From

E. M. Gawne, Esq, I.C.S.,

Collector of South Kanara.

To

The Secretary to Government,

Law (General) Department,

M a d r a s.

S i r,

Kazi--Coondapur Taluk--Coondapur Mosque--Abdul Khader Saheb-Removal and fresh appointment--recommended.

I invite the attention of Government to their Order No. Ms. 3595 dated 22nd September 1931 in which Abdul Khader Saheb was appointed kazi for the maganes and villages of Coondapur Taluk specified in the order.

2. In August 1934, a petition largely signed was received from the Muhammadan inhabitants of Coondapur making several allegations, among others of non residence and indifference to duties against Abdul Khader, and detailed enquiry was held by the Sub Collector and myself into the truth of these allegations. Under my direction a general meeting of the Muhammadan Jammath of Coondapur was also held by the(Muhammadan) Sub Magistrate Palli Beari who was specially deputed by me to obtain the views of the Jamath regarding the Kaziship.

3. Enquiry has made it clear that Abdul Khader Saheb had completely lost the confidence of the major portion of the Muhammadan inhabitants of Coondapur and that it is necessary that he should no longer continue to be Government Kazi at Coondapur. Abdul Khader has long been residing permanently outside his jurisdiction, delegating his duties permanently to others and

the members of the jamath has been finding it difficult to [illegible] him in case of need on ceremonial or other occasions. It has been found in the course of enquiry that the jurisdiction of the Kazi as constituted by the [illegible] referred to above is unreasonably extensive and unwieldy. The Coondapur Kazi has at present been requisitioned for the performance of marriages in outlying villages which all have their private Kazis. The extensive jurisdiction has only served to cloak the kazi's abnormal authority.

I recommend that Abdul Khader Saheb [illegible] approved under section 2 of Act XII of 1880 as unfit to [illegible] the said post and that one Syed Muhammad Pasha Saheb [illegible] appointed as Kazi for the villages of Coondapur, [illegible], Vaderhobli, Kanglur which form a small [illegible]. This gentleman has been found to be a suitable person [illegible] and the proposals are based on the wishes of the Muhammadan inhabitants of Coondapur and the neighbouring villages.

Your obedient servant,

Collector.

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Law (General) Dep

(C.No.402-B) From the Collector, South Kanara, Ref.No. 4442-34-B-1 d. 17.1.35.

Kazi- Coondapur taluk, Coondapur Mosque- Removal of the present Kazi Abdul Khader Saheb and appointment of Syed Muhammad Kasim Muthu Koya instead.

A.S.

(F) In G.O.No.3595 L.G. (8.22.9.31) Abdul Khader Saneb was appointed as Kazi with jurisdiction over the maganes of---

Koteshwar
Ultur
Haladi
Balkur
Kadri
Adimale
Tombattu
Hannar
Voderhobli
Coondapur (except the village of Kodi)
and the village of Hirekudru,

in the Coondapur taluk of the district of South Kanara.

CE- The Collr. now reports that the Kazi has permanently shifted his residence outside his jurisdiction that he gets his functions discharged by ~~a~~ and that he has lost the confidence of the local Muslims and recommends his removal from office. He adds that the present jurisdiction is too extensive. He has therefore proposed the reduction of the Govt Kazi's jurisdiction to a narrower area comprising the villages of Coondapur (as the services of the Coondapur Govt Kazi are not required in other areas) Koteshwar, Voderhobli and Hangluf and the appoin-ment of one Syed Muhammad Kasim Muthu Koya as Kazi in the place of the present Kazi ~~who is recommended for removal from office.~~

3/- The third sub-paragraph of Sec.2 of the Kazis Act, 1880 (XII of 1880) provides as follows:-

" The Local Government may, if it thinks fit, suspend or remove any kazi appointed under this section who is guilty of any mis-conduct in the execution of his office, or who is for a continuous period of six months absent from the local area for which he is appointed or leaves such a local area for the purpose of residing elsewhere....."

It is therefore submitted that the permanent shifting of the residence by the Kazi outside his jurisdiction will justify his removal from office by the Government. No formal resignation of the office is required in this case.

The D.M's proposals may be accepted in toto.

A draft order is submitted.

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Sectt. II-5 (6)

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Law (General) DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Kazi-Coondapur taluk-South Kanara dt-Abdul Khader Sahib-withdrawal of powers -Syed Muhammad Kasim Muthu Koya appointe for the villages of Coondapur, Kotesh--war, Voderhobli and Hanglur

READ AGAIN G.O. No. 3595 L.G., dated 22. 9. 31

" " " " " 19

READ ALSO :—

C No. 402-B From the Collr & D.M., South Kanara Rsf C.4442-B1 17. 1. 1935

" " " " " 19

" " " " " 19

ORDER.

Ms.

No. 455 dated 7 — 2 — 1935.

The Government accept the recommend-ations of the Collector of South Kanara and direct the publication of the following notifications in the Fort St. George Gazette:-

NOTIFICATIONS

I.

Under the provisions of section 2 of the Kazis Act, 1880 (Act XII of 1880), the Governor in Council removes Abdul Khader Sahab, who has permanently taken his residence outside ~~the~~ this jurisdiction, from the office of Kazi for the undermentioned localities in the Coondapur taluk of the district of South Kanara:-

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The maganes of

oteshwar	Hannar
ltur	Voderhobli
aladi	Coondapur (except the
alkur	village of Kodi)
adri	and the village of
dimale	Hirekudru in Japti
ombattu	magane.

II.

Under the provisions of section of the Kazis Act, 1880 (Act XII of 880), the Governor in Council is leased to appoint Syed Muhammad asim Muthu Koya to be kazi for he undermentioned villages in the oondapur taluk of the district of outh Kanara:-

Coondapur
Koteshwar
Vodernobli and
Hanglur